



Marine Management Organisation

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Your reference: EN010081
**Our Planning Inspectorate
reference:** EGGB-SP011
Our internal reference:
DCO/2016/00006

By email only

20 December 2017

Dear Richard Allen,

RE: EGGBOROUGH COMBINED CYCLE GAS TURBINE (CCGT) – DEADLINES 4 & 5

The Marine Management Organisation (MMO) has reviewed the matters within your Rule 8 Letter dated 04 October 2017 and the following constitutes the MMO's formal response to matters within Deadline 4. We have also reviewed the Further Written Questions which were issued on 14 December 2017.

The MMO is an interested party for the examination of Development Consent Order (DCO) applications for Nationally Significant Infrastructure Projects (NSIPs) in the marine area. The MMO received notification on 28 June 2017 stating that the Planning Inspectorate (PINS) (on behalf of the Secretary of State for Business, Energy and Industrial Strategy) had accepted an application from Eggborough Power Limited ("the Applicant"), for a DCO for The Eggborough CCGT (Generating Station).

The MMO has an interest in this project because the development contains the construction of an outfall for a discharge point as well as cofferdams on the River Aire. The DCO application includes a deemed marine licence (DML) under Section 65 of the Marine and Coastal Access Act 2009 (MCAA 2009). Should consent be granted for the project, the MMO will be responsible for monitoring, compliance and enforcement of DML conditions.

Deadline four consists of the following:

- Comments on Applicant's revised draft DCO
- Updated Compulsory Acquisition schedule
- Updated Statements of Common Ground (SoCG)
- Responses to further information requested by the Examining Authority (ExA).

Of these items, the MMO considers that the matters in relation to the SoCG and the revised draft DCO are relevant.



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Comments on the Applicants revised draft DCO

The MMO has no further comments to make regarding the general contents of the DCO. With respect to the DML, the Applicant has engaged with the MMO regarding the outstanding issue of Part 2, 3 (4) b of the DML (hereafter, 'Part 2, 3 (4) b).

In order to allow a degree of flexibility for future works whilst not compromising the MMO's understanding of impacts arising from such works, the MMO has proposed that Part 2, (3) (4) b be reworded slightly. In addition, the MMO has proposed that a slightly amended set of co-ordinates surrounding the outfall be added to the DML accompanied by a new condition to ensure that impacts from the outfall upon the marine environment are understood for the lifetime of the project.

The principle of this has been agreed by both parties however, the precise wording is still under discussion.

The Applicant has committed to addressing the matters above in the next draft of the DCO which is to be submitted by 31 January 2018 as part of Deadline 6. Additionally, the Applicant has also committed to addressing a number of minor presentational issues in the next revision of the draft DCO.

Statements of Common Ground

The MMO has been working with the applicant to reach an agreed SoCG. The only outstanding area of disagreement was regarding Part 2 3 (4) b and as detailed above this has now been addressed and a way forward has been agreed. It is the MMO's understanding that this will be reflected in the next draft of the SoCG to be submitted by the applicant.

Deadline 5 – Further Written Questions

The comments above related to Part 2, 3 (4) b also constitute the MMO's formal response to question DML 2.1 of the Examining Authority's further written questions issued on 14 December 2017 for response by Deadline 5 on 9 January 2018.

If you would like to discuss any specific matter further or require additional clarity, please do not hesitate to contact me directly.

Yours Sincerely



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